

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

PHILADELPHIA INDEMNITY
INSURANCE COMPANY,

Plaintiff,

v.

TRUSTEES OF ROWAN-CABARRUS
COMMUNITY COLLEGE,

Defendant/Third-Party
Plaintiff,

v.

THE JOHN R. MCADAMS
COMPANY, INC.,

Third-Party Defendant.

Civil Action No. 1:22-cv-00041-LCP-JEP

**DEFENDANT TRUSTEES OF ROWAN-CABARRUS COMMUNITY
COLLEGE'S UNOPPOSED MOTION FOR CONTINUANCE**

COMES NOW Defendant/Third-Party Plaintiff Trustees of Rowan-Cabarrus Community College (“RCCC”), by and through its undersigned counsel and pursuant to Local Rule 6.1(b), and respectfully requests that this Court continue the Initial Pretrial Conference, currently scheduled for May 18, 2023 (ECF Doc. 24), to a different date. As grounds for said motion, counsel for RCCC states as follows:

1. On January 11, 2023 Plaintiff Philadelphia Indemnity Insurance Company (“Philadelphia”) filed its unopposed Motion for Continuance of the January 19, 2023 Initial Pretrial Conference (ECF Doc. 20).

2. On January 12 2023 the parties filed a Supplemental Joint Rule 26(f) Report (ECF Doc. 21).

3. On January 18, 2023 the Court entered an Order resetting the Initial Pretrial Conference for May 18, 2023 at 9:30 a.m. (ECF Doc. 22).

4. On February 2, 2023 the Court rescheduled the May 18, 2023 Initial Pretrial Conference for May 11, 2023 at 9:30 a.m. (ECF Doc. 23), a date which worked for the parties.

5. On March 28, 2023 the Court rescheduled the May 11, 2023 back to the initial May 18, 2023 hearing date.

6. Lead counsel for RCCC has a conflict with the newly scheduled May 18, 2023 Initial Pretrial Conference due to his daughter’s medical school graduation, which is taking place in Washington, D.C.

7. RCCC submits that this request is not for the purpose of unnecessary delay.

8. Counsel for Philadelphia and Third Party Defendant The John McAdams Company, Inc do not oppose this Motion, and were consulted for

potential availability in the event the court granted RCCC's request for an extension.

9. All parties are available on the following dates:

- June 5-7, 2023
- June 21-23, 2023
- June 26-27, 2023

WHEREFORE, RCCC respectfully requests that this Honorable Court enter an Order continuing the May 18, 2023 Initial Pretrial Conference to a later date, preferably one of the dates indicated in Paragraph 9. A proposed Order has been submitted herewith the Court's consideration.

Respectfully submitted this the 31st day of March, 2023.

WOMBLE BOND DICKINSON (US) LLP

/s/ Mark P. Henriques

Mark P. Henriques (N.C. Bar No. 49532)
301 South College Street, Suite 3500
Charlotte, North Carolina 28202-6037
Mark.Henriques@wbd-us.com
Telephone: (704) 331-4912
Facsimile: (704) 338-7830

Kenneth R. Michael
One West Fourth Street
Winston Salem, NC 27101
Ken.Michael@wbd-us.com
Telephone: (336) 721-3644
Facsimile: (336) 733-8375

*Attorneys for Defendant/Third Party
Plaintiff Trustees of Rowan-Cabarrus
Community College*